

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION

Angela Hammond and Paul Hammond,)
As Co-Personal Representatives of the)
Estate of Zachary Hammond,)

Plaintiff,)

vs.)

City of Seneca Police Department;)
Mark Tiller; John Covington,)

Defendant.)

Civil Action No. 8:15-cv-04031-MGL

ORDER OF DISMISSAL

The Court having been advised by counsel for the parties that the above action has been settled,

IT IS ORDERED that this action is hereby dismissed without costs and without prejudice. If settlement is not consummated within sixty (60) days, either party may petition the Court to reopen this action and restore it to the calendar. Rule 60(b)(6), F.R.Civ.P. In the alternative, to the extent permitted by law, either party may within sixty (60) days petition the Court to enforce the settlement. Fairfax Countywide Citizens v. Fairfax County, 571 F.2d 1299 (4th Cir. 1978). By agreement of the parties, the court retains jurisdiction to enforce the settlement agreement. Kokkonen v. Guardian Life Ins. Co., 511 U.S. 375, 381-82 (1994).

This matter involves claims pursued on behalf of an estate. Counsel has, however, informed the court that they will seek approval of the estate settlement from a court of competent jurisdiction within the estate's county of residence. Such approval shall be obtained within the time set forth above.

The dismissal hereunder shall be with prejudice if no action is taken under either alternative within sixty (60) days from the filing date of this order.

IT IS SO ORDERED.

s/Mary Geiger Lewis
Mary Geiger Lewis
United States District Judge

March 30, 2016
Columbia, South Carolina